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Attorney for Defendant
STANLEY GUTIERREZ-ARANA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

STANLEY GUTIERREZ-ARANA,

Defendant.

No. CR-14-00606-EMC

**STIPULATION AND ~~PROPOSED~~
ORDER TO RESET CHANGE OF
PLEA HEARING AND EXCLUDING
TIME UNDER THE SPEEDY TRIAL
ACT**

The defendant, through his counsel, Severa Keith, and the government, through Assistant U.S. Attorney Lloyd Farnham, hereby apply for an order resetting the currently set Status and Trial Setting Hearing from September 23, 2015 to September 30, 2015 at 2:30 p.m.

This request is being made because counsel for Mr. Gutierrez-Arana has been researching the state case, which is based on the conduct with which he is charged in this matter, to determine what resolution will be forthcoming for Mr. Gutierrez-Arana. Counsel has diligently researched this matter, including contacting the attorneys in that matter and reviewing his court file. Counsel believes that Mr. Gutierrez-Arana cannot be fully advised of the consequences of *GUTIERREZ-ARANA: Stipulation Reset Change of Plea Hearing; [Proposed] Order*

his plea until the outcome of his state court case is understood, and for this reason seeks a brief continuance of the change of plea hearing.

The parties agree that the delay is not attributable to lack of diligent preparation on the part of the attorneys for the government or defense. The parties request that time under the Speedy Trial Act be excluded based on the need for reasonable time necessary for effective preparation, taking into account the exercise of due diligence, under 18 U.S.C. § 3161(h)(7)(B)(iv), and based on the pendency of other proceedings concerning the defendant, pursuant to 18 U.S.C. § 3161(h)(1).

IT IS SO STIPULATED:

Dated: September 23, 2015

Respectfully Submitted,

/s/

Severa Keith CSBN: 218167
Attorney for Defendant
STANLEY GUTIERREZ-ARANA
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Dated: September 23, 2015

/s/

Lloyd Farnham
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~~PROPOSED~~ ORDER

GOOD CAUSE HAVING BEEN SHOWN, the Court finds that failing to exclude the time between September 23, 2015 to September 30, 2015 would unreasonably deny the defense the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv). The Court also finds that the time for this continuance is excluded from time under the Speedy Trial Act because the delay results from other proceedings concerning the defendant. The Court further finds that the ends of justice served by excluding the time between these dates from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, it is hereby ordered that the time between and including September 23 and 30, 2015 shall be excluded from computation under the Speedy Trial Act.

IT IS FURTHER ORDERED that the Change of Plea Hearing in the above-captioned matter be reset from September 23, 2015 to September 30, 2015 at 2:30 p.m. The hearing will proceed at the United States District Courthouse in San Francisco, California.

DATED: 9/23/15



THE HONORABLE EDWARD M. CHEN
United States District Judge